



General Assembly

January Session, 2009

***Raised Bill No. 6710***

LCO No. 5111

\*05111\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING COURT OPERATIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (a) and (b) of section 4b-51 of the general  
2 statutes are repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2009*):

4 (a) The Commissioner of Public Works shall have charge and  
5 supervision of the remodeling, alteration, repair or enlargement of any  
6 real asset, except any dam, flood or erosion control system, highway,  
7 bridge or any mass transit, marine or aviation transportation facility, a  
8 facility of the Connecticut Marketing Authority, an asset of the  
9 Department of Agriculture program established pursuant to section  
10 26-237a, or any building under the supervision and control of the Joint  
11 Committee on Legislative Management, involving an expenditure in  
12 excess of five hundred thousand dollars, and except that (1) the  
13 Judicial Branch and each constituent unit of the state system of higher  
14 education may have charge and supervision of the remodeling,  
15 alteration, repair, construction or enlargement of any real asset  
16 involving an expenditure of not more than two million dollars, [except

17 that] and (2) The University of Connecticut shall have charge and  
18 supervision of the remodeling, alteration, repair, construction, or  
19 enlargement of any project, as defined in subdivision (16) of section  
20 10a-109c, notwithstanding the amount of the expenditure involved. In  
21 any decision to remodel, alter, repair or enlarge any real asset, the  
22 commissioner shall consider the capability of the real asset to facilitate  
23 recycling programs.

24 (b) No officer, department, institution, board, commission or council  
25 of the state government, except the Commissioner of Public Works, the  
26 Commissioner of Transportation, the Connecticut Marketing  
27 Authority, the Department of Agriculture for purposes of the program  
28 established pursuant to section 26-237a, the Joint Committee on  
29 Legislative Management, the Judicial Branch or a constituent unit of  
30 the state system of higher education as authorized in subsection (a) of  
31 this section, shall, unless otherwise specifically authorized by law,  
32 make or contract for the making of any alteration, repair or addition to  
33 any real asset involving an expenditure of more than five hundred  
34 thousand dollars.

35 Sec. 2. Subsections (a) and (b) of section 4b-52 of the general statutes  
36 are repealed and the following is substituted in lieu thereof (*Effective*  
37 *October 1, 2009*):

38 (a) (1) No repairs, alterations or additions involving expense to the  
39 state of five hundred thousand dollars or less or, in the case of repairs,  
40 alterations or additions to a building rented or occupied by a  
41 constituent unit of the state system of higher education, two million  
42 dollars or less, shall be made to any state building or premises  
43 occupied by any state officer, department, institution, board,  
44 commission or council of the state government and no contract for any  
45 construction, repairs, alteration or addition shall be entered into  
46 without the prior approval of the Commissioner of Public Works,  
47 except repairs, alterations or additions to a building under the  
48 supervision and control of the Joint Committee on Legislative

49 Management and repairs, alterations or additions to a building under  
50 the supervision of The University of Connecticut. Repairs, alterations  
51 or additions which are made pursuant to such approval of the  
52 Commissioner of Public Works shall conform to all guidelines and  
53 procedures established by the Department of Public Works for agency-  
54 administered projects. (2) Notwithstanding the provisions of  
55 subdivision (1) of this subsection, repairs, alterations or additions  
56 involving expense to the state of [~~one hundred thousand~~] two million  
57 dollars or less may be made to any state building or premises under  
58 the supervision of the Office of the Chief Court Administrator or a  
59 constituent unit of the state system of higher education, under the  
60 terms of section 4b-11, and any contract for any such construction,  
61 repairs or alteration may be entered into by the Office of the Chief  
62 Court Administrator or a constituent unit of the state system of higher  
63 education without the approval of the Commissioner of Public Works.

64 (b) Except as provided in this section, no repairs, alterations or  
65 additions involving an expense to the state of more than five hundred  
66 thousand dollars or, in the case of repairs, alterations or additions to a  
67 building rented or occupied by the Judicial Branch or a constituent  
68 unit of the state system of higher education, more than two million  
69 dollars shall be made to any state building or premises occupied by  
70 any state officer, department, institution, board, commission or council  
71 of the state government, nor shall any contract for any construction,  
72 repairs, alteration or addition be entered into, until the Commissioner  
73 of Public Works or, in the case of the construction or repairs,  
74 alterations or additions to a building under the supervision and  
75 control of the Joint Committee on Legislative Management of the  
76 General Assembly, said joint committee or, in the case of the  
77 construction, repairs, alterations or additions to a building involving  
78 expenditures in excess of five hundred thousand dollars but not more  
79 than two million dollars under the supervision and control of one of  
80 the constituent units of higher education, the constituent unit has  
81 invited bids thereon and awarded a contract thereon, in accordance  
82 with the provisions of sections 4b-91 to 4b-96, inclusive. The

83 Commissioner of Public Works, with the approval of the authority  
84 having the supervision of state employees or the custody of inmates of  
85 state institutions, without the necessity of bids, may employ such  
86 employees or inmates and purchase or furnish the necessary materials  
87 for the construction, erection, alteration, repair or enlargement of any  
88 such state building or premises occupied by any state officer,  
89 department, institution, board, commission or council of the state  
90 government.

91 Sec. 3. Section 51-9 of the general statutes is repealed and the  
92 following is substituted in lieu thereof (*Effective October 1, 2009*):

93 Under the supervision and direction of the Chief Court  
94 Administrator, the executive secretary and other members of the staff  
95 of the Office of Chief Court Administrator shall:

96 (1) Audit all bills to be paid from state appropriations, except bills of  
97 the Division of Criminal Justice, for the expenses of the Judicial  
98 Department and its constituent courts prior to taxation or final  
99 approval thereof by any judge;

100 (2) Maintain adequate accounting and budgetary records for all  
101 appropriations by the state for the maintenance of the Judicial  
102 Department, except the Division of Criminal Justice, and all other  
103 appropriations assigned by the legislature or state budgetary control  
104 offices for administration by the Judicial Department, except the  
105 Division of Criminal Justice;

106 (3) Prepare and submit to the appropriate budget agency of the state  
107 government estimates of appropriations necessary for the maintenance  
108 and operation of the Judicial Department, including therein estimates  
109 submitted for the Division of Criminal Justice as provided in section  
110 51-279, and make recommendations in respect to those appropriations;

111 (4) Act as secretary of any meetings, conferences or assemblies of  
112 judges, or committees thereof, of the Judicial Department and of its

113 constituent courts;

114 (5) Supervise all purchases of commodities and services for the  
115 Judicial Department, except for the Division of Criminal Justice, to be  
116 charged to state appropriations, and issue all orders therefor for the  
117 department, excluding orders for the Division of Criminal Justice;

118 (6) Examine the administrative methods and systems employed in  
119 the Judicial Department and its constituent courts and agencies, except  
120 the Division of Criminal Justice, and develop and implement programs  
121 for the improvement thereof and for securing uniform administration  
122 and procedures;

123 (7) Examine the state of the dockets of the courts of the Judicial  
124 Department to ascertain the need for assistance by any court and to  
125 implement programs for the fair and prompt disposition of cases  
126 therein;

127 (8) Collect and compile statistical and other data concerning the  
128 business transacted by the Judicial Department and its constituent  
129 courts and the expenditure of public moneys for the maintenance and  
130 operation of the judicial system;

131 (9) Assist in the preparation of the assignments of the judges of the  
132 Superior Court and attend to the printing and distribution for the  
133 Superior Court of an annual directory containing relevant information  
134 pertaining to the operation of the court;

135 (10) Serve as payroll officer for the Judicial Department, excluding  
136 the Division of Criminal Justice, and for the Supreme Court, Appellate  
137 Court and Superior Court;

138 (11) Supervise the assignment of court reporters of the Superior  
139 Court;

140 (12) Conduct research and planning activities for the Judicial  
141 Department and its constituent courts and offices as deemed feasible

142 by, or in the discretion of, the Chief Justice or the Chief Court  
143 Administrator;

144 (13) Develop education programs for the judges and other  
145 personnel of the Judicial Department;

146 (14) Develop personnel standards, policies and procedures, and  
147 make recommendations concerning all personnel matters, including  
148 requests for salary increases or for additional positions, for  
149 consideration by the Supreme Court or the appropriate appointing  
150 authorities;

151 (15) Report periodically to the Chief Court Administrator  
152 concerning all matters which have been entrusted to him;

153 (16) Attend to matters assigned to him by the Chief Justice, or the  
154 Chief Court Administrator or by statute;

155 (17) Design, implement and maintain, as deemed feasible by the  
156 Chief Court Administrator, computerized automatic data processing  
157 systems for use in the Supreme Court, Appellate Court and Superior  
158 Court or divisions of the Superior Court;

159 (18) Supervise administrative methods employed in clerks' offices  
160 and in the various offices of the Supreme Court, Appellate Court and  
161 Superior Court; and

162 (19) Supervise the care and control of all property where the Judicial  
163 Department is the primary occupant, which supervision shall include  
164 planning, execution of contracts, oversight and supervision of work  
165 involving the construction, repair or alteration of a building or  
166 premises under the supervision of the Office of the Chief Court  
167 Administrator, when consultant fees do not exceed three hundred  
168 thousand dollars and construction contracts do not exceed two million  
169 dollars. For the purposes of this subsection, [the term] "Judicial  
170 Department" does not include the courts of probate, the Division of  
171 Criminal Justice and the Public Defender Services Commission, except

172 where they share facilities in state-maintained courts.

173 Sec. 4. Section 51-1b of the general statutes is repealed and the  
174 following is substituted in lieu thereof (*Effective October 1, 2009*):

175 (a) The Chief Justice of the Supreme Court shall be the head of the  
176 Judicial Department and shall be responsible for its administration.

177 (b) The Chief Justice shall appoint a Chief Court Administrator who  
178 shall serve at the pleasure of the Chief Justice.

179 (c) The Chief Justice may take any action necessary in the event of a  
180 major disaster, emergency, disaster emergency or civil preparedness  
181 emergency, each as defined in section 28-1, or a public health  
182 emergency, as defined in section 19a-131, to ensure the continued  
183 efficient operation of the Supreme, Appellate and Superior Courts, the  
184 prompt disposition of cases and the proper administration of judicial  
185 business. Such necessary action may include: (1) Establishing  
186 alternative locations to conduct judicial business in the event that one  
187 or more court locations cannot be utilized, (2) suspending any judicial  
188 business that is deemed not essential by the Chief Justice, and (3)  
189 taking any other appropriate action necessary to ensure that essential  
190 judicial business can be effectively handled by the courts.

191 Sec. 5. Section 51-5a of the general statutes is repealed and the  
192 following is substituted in lieu thereof (*Effective October 1, 2009*):

193 (a) The Chief Court Administrator: (1) Shall be the administrative  
194 director of the Judicial Department and shall be responsible for the  
195 efficient operation of the department, the prompt disposition of cases  
196 and the prompt and proper administration of judicial business; (2)  
197 shall meet periodically at such places and times as [he] the Chief Court  
198 Administrator may designate with any judge, judges, or committee of  
199 judges, and with the Probate Court Administrator to transact such  
200 business as is necessary to insure the efficient administration of the  
201 Judicial Department; (3) may issue such orders, require such reports

202 and appoint other judges to such positions to perform such duties, as  
 203 [he] the Chief Court Administrator deems necessary to carry out his or  
 204 her responsibilities; (4) may assign, reassign and modify assignments  
 205 of the judges of the Superior Court to any division or part of the  
 206 Superior Court and may order the transfer of actions under sections  
 207 51-347a and 51-347b; [and] (5) may provide for the convening of  
 208 conferences of the judges of the several courts, or any of them, and of  
 209 such members of the bar as [he] the Chief Court Administrator may  
 210 determine, for the consideration of matters relating to judicial  
 211 business, the improvement of the judicial system and the effective  
 212 administration of justice in this state, and (6) may take any action  
 213 necessary in the event of a major disaster, emergency, disaster  
 214 emergency or civil preparedness emergency, each as defined in section  
 215 28-1, or a public health emergency, as defined in section 19a-131, to  
 216 ensure the continued efficient operation of the Supreme, Appellate and  
 217 Superior Courts, the prompt disposition of cases and the proper  
 218 administration of judicial business. Such necessary action may include:  
 219 (A) Establishing alternative locations to conduct judicial business in  
 220 the event that one or more court locations cannot be utilized, (B)  
 221 suspending any judicial business that is deemed not essential by the  
 222 Chief Court Administrator, and (C) taking any other appropriate  
 223 action necessary to ensure that essential judicial business can be  
 224 effectively handled by the courts.

225 (b) The Chief Court Administrator may establish reasonable fees for  
 226 conducting searches of court records. No federal, state or municipal  
 227 agency shall be required to pay any such fee.

228 Sec. 6. Section 51-193c of the general statutes is repealed and the  
 229 following is substituted in lieu thereof (*Effective October 1, 2009*):

230 (a) The Judicial Branch may permit in any civil, criminal, family,  
 231 juvenile or other matter, the filing of any document or data that is  
 232 required by law to be filed with the Superior Court or with a judge or  
 233 judge trial referee thereof, including, but not limited to, a summons



234 issued pursuant to section 51-164n, a complaint or a summons issued  
235 pursuant to section 54-1h, and an information filed pursuant to section  
236 54-46, by computer or facsimile transmission or by employing [new]  
237 other technology. [as it is developed.]

238 (b) For the purposes of this section, the judges of the Superior Court  
239 may prescribe alternative methods for the signing, subscribing or  
240 verifying [of such document] by a person of any document or data that  
241 is required by law to be filed with the Superior Court or with a judge  
242 or judge trial referee thereof so that such document or data shall have  
243 the same validity and status as a paper document that was signed,  
244 subscribed or verified by such person.

245 (c) Notwithstanding any other provision of the general statutes, the  
246 Chief Court Administrator may permit [the] any payment [of any fee]  
247 that is required by law to be paid to the clerk of the Superior Court to  
248 be made by use of any [existing] technology. [or new technology as it  
249 is developed.] The payor may be charged a service fee for any such  
250 payment. The service fee shall not exceed any charge by the service  
251 provider, including any discount rate.

252 (d) Any notice, order, judgment, decision, decree, memorandum,  
253 ruling, opinion, mittimus or similar document that is issued by the  
254 Superior Court or by a judge, judge trial referee or family support  
255 magistrate thereof, or by a magistrate appointed pursuant to section  
256 51-193l, may be signed or verified by computer or facsimile  
257 transmission or by employing other technology in accordance with  
258 procedures and technical standards established by the Office of the  
259 Chief Court Administrator, and such notice, order, judgment, decision,  
260 decree, memorandum, ruling, opinion, mittimus or similar document  
261 shall have the same validity and status as a paper document that was  
262 signed or verified by the Superior Court or by a judge, judge trial  
263 referee or family support magistrate thereof, or by a magistrate  
264 appointed pursuant to section 51-193l.

265 [(d)] (e) The judges of the Superior Court may adopt any rules they

266 deem necessary to implement the provisions of this section and the  
267 Office of the Chief Court Administrator shall prescribe any forms  
268 required to implement such provisions.

269 Sec. 7. Subsections (a) and (b) of section 51-5c of the general statutes  
270 are repealed and the following is substituted in lieu thereof (*Effective*  
271 *October 1, 2009*):

272 (a) The Chief Court Administrator shall establish and maintain an  
273 automated registry of protective orders that shall contain (1) protective  
274 or restraining orders issued by courts of this state, including, but not  
275 limited to, orders issued pursuant to sections 46b-15, 46b-38c, as  
276 amended by this act, 53a-40e, 54-1k, 54-82q and 54-82r, and (2) foreign  
277 orders of protection that have been registered in this state pursuant to  
278 section 46b-15a. The registry shall clearly indicate the date of  
279 commencement, the termination date, if specified, and the duration of  
280 any order contained therein. The Chief Court Administrator shall  
281 adopt policies and procedures for the operation of the registry, which  
282 shall include policies and procedures governing the disclosure of  
283 information in the registry to the judges of the Superior Court and  
284 employees of the Judicial Department.

285 (b) (1) The following information contained in the registry of  
286 protective orders shall not be subject to disclosure and may be  
287 accessed only in accordance with this section, unless otherwise  
288 ordered by the court: (A) Any information that would identify a  
289 person protected by an order contained in the registry; (B) any  
290 information that is confidential pursuant to state or federal law,  
291 including, but not limited to, any information that is confidential  
292 pursuant to a court order; and (C) any information entered in the  
293 registry pursuant to an ex parte order prior to a hearing by a court  
294 having jurisdiction over the parties and the subject matter.

295 (2) Any judge of the Superior Court and any employee of the  
296 Judicial Department who is authorized by the policies and procedures  
297 adopted by the Chief Court Administrator pursuant to subsection (a)

298 of this section shall have access to such information. The Chief Court  
299 Administrator may grant access to such information to personnel of  
300 the Department of Public Safety, the Department of Correction, the  
301 Board of Pardons and Paroles, the Psychiatric Security Review Board,  
302 the Division of Criminal Justice, any municipal or tribal police  
303 department within this state or any other agency, organization or  
304 person determined by the Chief Court Administrator, pursuant to  
305 policies and procedures adopted by the Chief Court Administrator, to  
306 have a legitimate interest in the information contained in the registry.  
307 Any person who obtains such information pursuant to this subdivision  
308 may use and disclose the information only in the performance of such  
309 person's duties.

310 (3) Except as provided in subsection (c) of this section, the  
311 information contained in the registry shall be provided to and may be  
312 accessed through the Connecticut on-line law enforcement  
313 communications teleprocessing system maintained by the Department  
314 of Public Safety. Nothing in this section shall be construed to permit  
315 public access to the Connecticut on-line law enforcement  
316 communications teleprocessing system.

317 Sec. 8. Subsection (a) of section 51-36 of the general statutes is  
318 repealed and the following is substituted in lieu thereof (*Effective*  
319 *October 1, 2009*):

320 (a) The Chief Court Administrator may cause any and all court  
321 records, papers or documents, and any and all other records, papers or  
322 documents maintained by the Judicial Branch, required to be retained  
323 indefinitely or for a period of time defined by (1) rules of court, (2)  
324 directives promulgated by the Office of the Chief Court Administrator,  
325 or (3) statute, to be microfilmed or reproduced as a computerized  
326 image. The device used to reproduce such records, papers or  
327 documents on microfilm or as a computerized image shall be one  
328 which accurately reproduces the original thereof in detail. Such  
329 microfilm or computerized image shall be considered and treated the

330 same as the original records, papers or documents, provided a  
331 certificate of authenticity appears on each roll of microfilm [ (A)] and a  
332 paper or electronic certificate of authenticity is associated with each  
333 computerized image in accordance with directives promulgated by the  
334 Office of the Chief Court Administrator. On and after the date the  
335 Office of the Chief Court Administrator promulgates directives  
336 concerning microfilms and computerized images, a transcript,  
337 exemplification or certified copy [thereof] of such microfilm or  
338 computerized image shall for all purposes be deemed to be a  
339 transcript, exemplification or certified copy of the original regardless  
340 of when created, if such computerized image was created in  
341 accordance with such directives. The original [court] records, papers or  
342 documents so reproduced may be disposed of in such manner as  
343 approved by the Office of the Chief Court Administrator. For the  
344 purposes of this subsection, "microfilm" includes microcard,  
345 microfiche, microphotograph, electronic medium or any other process  
346 which actually reproduces or forms a durable medium for so  
347 reproducing the original, and "computerized image" means any  
348 electronic reproduction of the original by a computer-based imaging  
349 system or process.

350 Sec. 9. Subsection (d) of section 51-36 of the general statutes is  
351 repealed and the following is substituted in lieu thereof (*Effective*  
352 *October 1, 2009*):

353 (d) All court records other than records concerning title to land may  
354 be destroyed in accordance with rules of court. Records concerning  
355 title to land shall not be subject to any such destruction, [and] except  
356 that records concerning title to land may be retained in an electronic  
357 format [ except that] and official notes and tapes of evidence or  
358 judicial proceedings concerning title to land may be destroyed. All  
359 court records may be transferred to any agency of this state or to any  
360 federal agency in accordance with rules of court or directives  
361 promulgated by the Office of the Chief Court Administrator, provided  
362 records in any action concerning title to land terminated by a final

363 judgment affecting any right, title or interest in real property shall be  
364 retained for not less than forty years in the office of the clerk of the  
365 court location in which the judgment was rendered. Any other [judicial  
366 branch] Judicial Branch books, records, papers or documents may be  
367 destroyed or transferred to any agency of this state or to any federal  
368 agency in accordance with directives promulgated by the Office of the  
369 Chief Court Administrator.

370 Sec. 10. Subsection (e) of section 54-2a of the general statutes is  
371 repealed and the following is substituted in lieu thereof (*Effective*  
372 *October 1, 2009*):

373 (e) Whenever a warrant or other criminal process is issued under  
374 this section or section 53a-32, as amended by this act, the court, judge  
375 or judge trial referee may cause such warrant or other criminal process  
376 to be entered into a central computer system in accordance with  
377 policies and procedures established by the Chief Court Administrator.  
378 Existence of the warrant or criminal process in the computer system  
379 shall constitute prima facie evidence of the issuance of the warrant or  
380 criminal process. Any person named in the warrant or criminal process  
381 may be arrested based on the existence of the active warrant or  
382 criminal process in the computer system and shall, upon any such  
383 arrest, be given a copy of the warrant or criminal process.

384 Sec. 11. Section 54-142i of the general statutes is repealed and the  
385 following is substituted in lieu thereof (*Effective October 1, 2009*):

386 All criminal justice agencies which collect, store or disseminate  
387 criminal history record information shall:

388 [(a)] (1) Screen and have the right to reject for employment, based  
389 on good cause, all personnel to be authorized to have direct access to  
390 criminal history record information;

391 [(b)] (2) Initiate or cause to be initiated administrative action that  
392 could result in the transfer or removal of personnel authorized to have

393 direct access to such information when such personnel violate the  
394 provisions of these regulations or other security requirements  
395 established for the collection, storage or dissemination of criminal  
396 history record information;

397 [(c)] (3) Provide that direct access to computerized criminal history  
398 record information shall be available only to authorized officers or  
399 employees of a criminal justice agency, and, as necessary, other  
400 authorized personnel essential to the proper operation of a criminal  
401 history record information system, except that the Judicial Branch may  
402 provide disclosable information from its combined criminal and motor  
403 vehicle information systems, or from its central computer system  
404 containing warrants and criminal process pursuant to section 54-2a, as  
405 amended by this act, to the public electronically, including through the  
406 Internet, in accordance with guidelines established by the Chief Court  
407 Administrator;

408 [(d)] (4) Provide that each employee working with or having access  
409 to criminal history record information shall be made familiar with the  
410 substance and intent of the provisions in this section;

411 [(e)] (5) Whether manual or computer processing is utilized,  
412 institute procedures to assure that an individual or agency authorized  
413 to have direct access is responsible for the physical security of criminal  
414 history record information under its control or in its custody, and for  
415 the protection of such information from unauthorized access,  
416 disclosure or dissemination. The State Police Bureau of Identification  
417 shall institute procedures to protect both its manual and computerized  
418 criminal history record information from unauthorized access, theft,  
419 sabotage, fire, flood, wind or other natural or man-made disasters;

420 [(f)] (6) Where computerized data processing is employed, institute  
421 effective and technologically advanced software and hardware designs  
422 to prevent unauthorized access to such information and restrict to  
423 authorized organizations and personnel only, access to criminal  
424 history record information system facilities, systems operating

425 environments, systems documentation, and data file contents while in  
426 use or when stored in a media library; and

427 [(g)] (7) Develop procedures for computer operations which support  
428 criminal justice information systems, whether dedicated or shared, to  
429 assure that: [(1)] (A) Criminal history record information is stored by  
430 the computer in such a manner that it cannot be modified, destroyed,  
431 accessed, changed, purged [,] or overlaid in any fashion by  
432 noncriminal justice terminals; [(2)] (B) operation programs are used  
433 that will prohibit inquiry, record updates, or destruction of records [,]  
434 from any terminal other than criminal justice system terminals which  
435 are so designated; [(3)] (C) the destruction of records is limited to  
436 designated terminals under the direct control of the criminal justice  
437 agency responsible for creating or storing the criminal history record  
438 information; [(4)] (D) operational programs are used to detect and  
439 store for the output of designated criminal justice agency employees all  
440 unauthorized attempts to penetrate any criminal history record  
441 information system, program or file; [(5)] (E) the programs specified in  
442 [subdivisions (2) and (4) of this subsection] subparagraphs (B) and (D)  
443 of this subdivision are known only to criminal justice agency  
444 employees responsible for criminal history record information system  
445 control or individuals or agencies pursuant to a specific agreement  
446 with the criminal justice agency to provide such programs and the  
447 programs are kept continuously under maximum security conditions.

448 Sec. 12. Section 47a-69 of the general statutes is repealed and the  
449 following is substituted in lieu thereof (*Effective October 1, 2009*):

450 (a) The judges of the Superior Court or an authorized committee  
451 thereof may appoint such housing [specialists] mediators as they deem  
452 necessary for the purpose of assisting the court in the prompt and  
453 efficient hearing of housing matters within the limit of their  
454 appropriation therefor. Such judges or such committee shall appoint  
455 not less than two such [specialists] mediators for each of the judicial  
456 districts of Hartford, New Haven and Fairfield and may designate one

457 of them in each judicial district as chief housing [specialist] mediator.  
458 Such judges or committee shall also appoint not less than three such  
459 housing [specialists] mediators for all other judicial districts. The  
460 housing [specialists] mediators for the judicial district of New Haven  
461 shall assist the court in the hearing of housing matters in the judicial  
462 district of Waterbury, the housing [specialists] mediators for the  
463 judicial district of Hartford shall assist the court in the hearing of  
464 housing matters in the judicial district of New Britain and the housing  
465 [specialists] mediators for the judicial district of Fairfield shall assist  
466 the court in the hearing of housing matters in the judicial district of  
467 Stamford-Norwalk.

468 (b) Housing [specialists] mediators shall be knowledgeable in the  
469 maintenance, repair and rehabilitation of dwelling units and the  
470 federal, state and municipal laws, ordinances, rules and regulations  
471 pertaining thereto. [They] Housing mediators shall also have  
472 knowledge necessary to advise parties regarding the type of funds and  
473 services available to assist owners, landlords and tenants in the  
474 financing of resolutions to housing problems. [The housing specialists]  
475 Housing mediators shall make inspections and conduct investigations  
476 at the request of the court, shall advise parties in locating possible  
477 sources of financial assistance necessary to comply with orders of the  
478 court and shall exercise such other powers and perform such other  
479 duties as the judge may from time to time prescribe.

480 (c) Such housing [specialists] mediators (1) shall be responsible for  
481 the initial screening and evaluation of all contested housing matters  
482 eligible for placement on the housing docket pursuant to section 47a-  
483 68, (2) may conduct investigations of such matters including, but not  
484 limited to, interviews with the parties, and (3) may recommend  
485 settlements.

486 Sec. 13. Subsection (a) of section 52-261 of the general statutes is  
487 repealed and the following is substituted in lieu thereof (*Effective*  
488 *October 1, 2009*):



489 (a) Except as provided in subsection (b) of this section and section  
490 52-261a, as amended by this act, each officer or person who serves  
491 process, summons or attachments shall receive a fee of not more than  
492 thirty dollars for each process served and an additional fee of thirty  
493 dollars for the second and each subsequent service of such process,  
494 except that such officer or person shall receive an additional fee of ten  
495 dollars for each subsequent service of such process at the same address  
496 or for notification of the office of the Attorney General in dissolution  
497 and postjudgment proceedings if a party or child is receiving public  
498 assistance. Each such officer or person shall also receive the fee set by  
499 the Department of Administrative Services for state employees for  
500 each mile of travel [ to be computed from the place where such officer  
501 or person received the process to the place of service, and thence in the  
502 case of civil process to the place of return] that such officer reasonably  
503 incurred in the service of such process. If more than one process is  
504 served on one person at one time by any such officer or person, the  
505 total cost of travel for the service shall be the same as for the service of  
506 one process only. Each officer or person who serves process shall also  
507 receive the moneys actually paid for town clerk's fees on the service of  
508 process. Any officer or person required to summon jurors by personal  
509 service of a warrant to attend court shall receive for the first ten miles  
510 of travel while so engaged, such mileage to be computed from the  
511 place where such officer or person receives the process to the place of  
512 service, twenty-five cents for each mile, and for each additional mile,  
513 ten cents. For summoning any juror to attend court otherwise than by  
514 personal service of the warrant, such officer or person shall receive  
515 only the sum of fifty cents and actual disbursements necessarily  
516 expended by such officer or person in making service thereof as  
517 directed. Notwithstanding the provisions of this section, for  
518 summoning grand jurors, such officer or person shall receive only such  
519 officer's or person's actual expenses and such reasonable sum for  
520 services as are taxed by the court. The following fees shall be allowed  
521 and paid: (1) For taking bail or bail bond, one dollar; (2) for copies of  
522 writs and complaints, exclusive of endorsements, one dollar per page,

523 not to exceed a total amount of nine hundred dollars in any particular  
 524 matter; (3) for endorsements, forty cents per page or fraction thereof;  
 525 (4) for service of a warrant for the seizure of intoxicating liquors, or for  
 526 posting and leaving notices after the seizure, or for the destruction or  
 527 delivery of any such liquors under order of court, twenty dollars; (5)  
 528 for the removal and custody of such liquors so seized, reasonable  
 529 expenses, and twenty dollars; (6) for the levy of an execution, when the  
 530 money is actually collected and paid over, or the debt or a portion of  
 531 the debt is secured by the officer, fifteen per cent on the amount of the  
 532 execution, provided the minimum fee for such execution shall be thirty  
 533 dollars; (7) on the levy of an execution on real property and on  
 534 application for sale of personal property attached, to each appraiser,  
 535 for each half day of actual service, reasonable and customary expenses;  
 536 (8) for causing an execution levied on real property to be recorded, fees  
 537 for travel, twenty dollars and costs; (9) for services on an application  
 538 for the sale of personal property attached, or in selling mortgaged  
 539 property foreclosed under a decree of court, the same fees as for  
 540 similar services on executions; (10) for committing any person to a  
 541 community correctional center, in civil actions, twenty-one cents a mile  
 542 for travel, from the place of the court to the community correctional  
 543 center, in lieu of all other expenses; and (11) for summoning and  
 544 attending a jury for reassessing damages or benefits on a highway,  
 545 three dollars a day. The court shall tax as costs a reasonable amount for  
 546 the care of property held by any officer under attachment or execution.  
 547 The officer serving any attachment or execution may claim  
 548 compensation for time and expenses of any person, in keeping,  
 549 securing or removing property taken thereon, provided such officer  
 550 shall make out a bill. The bill shall specify the labor done, and by  
 551 whom, the time spent, the travel, the money paid, if any, and to whom  
 552 and for what. The compensation for the services shall be reasonable  
 553 and customary and the amount of expenses and shall be taxed by the  
 554 court with the costs.

555 Sec. 14. Section 52-261a of the general statutes is repealed and the  
 556 following is substituted in lieu thereof (*Effective October 1, 2009*):

557 (a) Any process served by any officer or person for the Judicial  
558 Department or Division of Criminal Justice shall be served in  
559 accordance with the following schedule of fees:

560 (1) Except as provided in subdivision (3) of this subsection, each  
561 officer or person who serves process shall receive a fee of not more  
562 than thirty dollars for the service of such process on a person and an  
563 additional fee of ten dollars for the service of such process on each  
564 additional person.

565 (2) Except as provided in subdivision (3) of this subsection, in  
566 addition to the fee set forth in subdivision (1) of this subsection, each  
567 officer or person who serves process shall receive, for each mile of  
568 travel that such officer reasonably incurred in the service of such  
569 process, the same amount per mile as provided for state employees  
570 pursuant to section 5-141c, [to be computed from the place where such  
571 officer or person received the process to the place of service, and  
572 thence in the case of civil process to the place of return,] provided, if  
573 more than one process is served on one person at one time by any such  
574 officer or person, the total cost of travel for such service shall be the  
575 same as for the service of one process only.

576 (3) Each officer or person who serves process to enforce the  
577 obligation of an attorney pursuant to subdivision (2) of subsection (a)  
578 of section 51-81d shall receive twenty cents for each mile of travel, to  
579 be computed from the place where such officer or person received the  
580 process to the place of service, and thence to the place of return.

581 (4) Each officer or person who serves process shall also receive the  
582 moneys actually paid for town clerk's fees on the service of process.

583 (5) Any officer or person required to summon jurors by personal  
584 service of a warrant to attend court shall receive for the first ten miles  
585 of travel while so engaged, such mileage to be computed from the  
586 place where such officer or person receives the process to the place of  
587 service, twenty-five cents for each mile, and for each additional mile,

588     ten cents.

589         (6) For summoning any juror to attend court otherwise than by  
590     personal service of the warrant, such officer or person shall receive  
591     only the sum of fifty cents and actual disbursements necessarily  
592     expended by such officer or person in making service thereof as  
593     directed.

594         (b) Notwithstanding the provisions of this section, for summoning  
595     grand jurors, such officer or person shall receive only such officer's or  
596     person's actual expenses and such reasonable sum for services as are  
597     taxed by the court.

598         (c) The following fees shall be allowed and paid: (1) For taking bail  
599     or bail bond, one dollar; (2) for copies of writs and complaints,  
600     exclusive of endorsements, sixty cents per page; (3) for endorsements,  
601     forty cents per page or fraction thereof; (4) for service of a warrant for  
602     the seizure of intoxicating liquors, or for posting and leaving notices  
603     after the seizure, or for the destruction or delivery of any such liquors  
604     under order of court, one dollar; (5) for the removal and custody of  
605     such liquors so seized, reasonable expenses and one dollar; (6) for  
606     levying an execution, when the money is actually collected and paid  
607     over, or the debt secured by the officer to the acceptance of the  
608     creditor, three per cent on the amount of the execution; (7) on the levy  
609     of an execution on real property and on application for sale of personal  
610     property attached, to each appraiser, for each half day of actual  
611     service, two dollars, to surveyors when necessarily employed, four  
612     dollars per day and to each chain bearer necessarily employed, two  
613     dollars per day, which sums, with those paid to the town clerk, shall  
614     be, by the officer levying the execution, endorsed thereon, together  
615     with such officer's own fees; (8) for causing an execution levied on real  
616     property to be recorded, fees for travel and fifty cents; (9) for services  
617     on an application for the sale of personal property attached, or in  
618     selling mortgaged property foreclosed under a decree of court, the  
619     same fees as for similar services on executions; (10) for committing any

620 person to a community correctional center, in civil actions, twenty  
621 cents a mile for travel, from the place of the court to the community  
622 correctional center, in lieu of all other expenses; and (11) for  
623 summoning and attending a jury for reassessing damages or benefits  
624 on a highway, three dollars a day.

625 (d) The court shall tax as costs a reasonable amount for the care of  
626 property held by any officer under attachment or execution. The  
627 officer serving any attachment or execution may claim compensation  
628 for time and expenses of any person, in keeping, securing or removing  
629 property taken thereon, provided such officer shall make out a bill.  
630 The bill shall specify the labor done and by whom, the time spent, the  
631 travel, the money paid, if any, and to whom and for what. The  
632 compensation for the services shall be fixed on the basis of two dollars  
633 per hour and the amount of expenses and shall be taxed by the court  
634 with the costs.

635 (e) The following fees shall be allowed and paid, except to state  
636 employees in the classified service: (1) For each arrest in criminal cases,  
637 one dollar and fifty cents; (2) for any necessary assistants in making  
638 criminal arrests, a reasonable sum, the necessity of such assistance to  
639 be proved by the oath of the officer; (3) for travel with a prisoner to  
640 court or to a community correctional center, forty cents a mile,  
641 provided (A) if more than one prisoner is transported at the same time,  
642 the total cost of travel shall be forty cents per mile for each prisoner  
643 transported up to a maximum of two dollars per mile, regardless of the  
644 number of prisoners transported, and (B) if a prisoner is transported  
645 for commitment on more than one mittimus, the total cost of travel  
646 shall be the same as for the transportation of one prisoner committed  
647 on one mittimus only; (4) for holding a prisoner in custody upon  
648 criminal process for each twelve hours or fraction thereof, to be taxed  
649 as expenses in the case, one dollar; (5) for holding a prisoner in custody  
650 by order of court, one dollar a day; (6) for keepers, for every twelve  
651 hours, in lieu of all other expenses, except in special cases to be  
652 approved by the court, five dollars; (7) for executing a mittimus of

653 commitment to the Connecticut Correctional Institution, Somers, for  
654 each prisoner, one dollar and fifty cents; (8) for transporting any  
655 prisoner from a community correctional center to the Connecticut  
656 Correctional Institution, Somers, or for transporting any person under  
657 commitment from a community correctional center to the John R.  
658 Manson Youth Institution, Cheshire, twenty-five cents a mile, to be  
659 taxed as expenses, provided, if more than one prisoner or person is  
660 transported, the total cost of travel shall be twenty-five cents per mile  
661 for each prisoner or person transported up to a maximum of one dollar  
662 per mile, regardless of the number of prisoners or persons transported;  
663 (9) for taking samples to a state chemist by order of court, two dollars,  
664 and for each mile of travel in going and returning, ten cents; (10) for  
665 service of a mittimus to commit to the Connecticut Juvenile Training  
666 School, necessary expenses and a reasonable compensation; and (11)  
667 for producing any prisoner, held by criminal process, in court or before  
668 a judge under habeas corpus proceedings, twenty-five cents a mile  
669 travel and two dollars and fifty cents a day for attendance, to be taxed  
670 and allowed by the court or judge.

671       Sec. 15. Section 17a-101 of the general statutes is repealed and the  
672 following is substituted in lieu thereof (*Effective October 1, 2009*):

673       (a) The public policy of this state is: To protect children whose  
674 health and welfare may be adversely affected through injury and  
675 neglect; to strengthen the family and to make the home safe for  
676 children by enhancing the parental capacity for good child care; to  
677 provide a temporary or permanent nurturing and safe environment for  
678 children when necessary; and for these purposes to require the  
679 reporting of suspected child abuse and neglect, investigation of such  
680 reports by a social agency, and provision of services, where needed, to  
681 such child and family.

682       (b) The following persons shall be mandated reporters: Any  
683 physician or surgeon licensed under the provisions of chapter 370, any  
684 resident physician or intern in any hospital in this state, whether or not

685 so licensed, any registered nurse, licensed practical nurse, medical  
686 examiner, dentist, dental hygienist, psychologist, coach of intramural  
687 or interscholastic athletics, school teacher, school principal, school  
688 guidance counselor, school paraprofessional, school coach, social  
689 worker, police officer, juvenile or adult probation officer, juvenile or  
690 adult parole officer, member of the clergy, pharmacist, physical  
691 therapist, optometrist, chiropractor, podiatrist, mental health  
692 professional or physician assistant, any person who is a licensed or  
693 certified emergency medical services provider, any person who is a  
694 licensed or certified alcohol and drug counselor, any person who is a  
695 licensed marital and family therapist, any person who is a sexual  
696 assault counselor or a battered women's counselor as defined in  
697 section 52-146k, any person who is a licensed professional counselor,  
698 any person paid to care for a child in any public or private facility,  
699 child day care center, group day care home or family day care home  
700 licensed by the state, any employee of the Department of Children and  
701 Families, any employee of the Department of Public Health who is  
702 responsible for the licensing of child day care centers, any family  
703 relations counselor, family relations counselor trainee or family  
704 services supervisor employed by the Judicial Department; group day  
705 care homes, family day care homes or youth camps, the Child  
706 Advocate and any employee of the Office of the Child Advocate.

707 (c) The Commissioner of Children and Families shall develop an  
708 educational training program for the accurate and prompt  
709 identification and reporting of child abuse and neglect. Such training  
710 program shall be made available to all persons mandated to report  
711 child abuse and neglect at various times and locations throughout the  
712 state as determined by the Commissioner of Children and Families.

713 (d) Any mandated reporter, as defined in subsection (b) of this  
714 section, who fails to report to the Commissioner of Children and  
715 Families pursuant to section 17a-101a shall be required to participate in  
716 an educational and training program established by the commissioner.  
717 The program may be provided by one or more private organizations

718 approved by the commissioner, provided the entire costs of the  
719 program shall be paid from fees charged to the participants, the  
720 amount of which shall be subject to the approval of the commissioner.

721 Sec. 16. Subsection (c) of section 46b-38c of the general statutes is  
722 repealed and the following is substituted in lieu thereof (*Effective*  
723 *October 1, 2009*):

724 (c) Each such local family violence intervention unit shall: (1) Accept  
725 referrals of family violence cases from a judge or prosecutor, (2)  
726 prepare written or oral reports on each case for the court by the next  
727 court date to be presented at any time during the court session on that  
728 date, (3) provide or arrange for services to victims and offenders, (4)  
729 administer contracts to carry out such services, and (5) establish  
730 centralized reporting procedures. All information provided to a family  
731 relations [officer] counselor, family relations counselor trainee or  
732 family services supervisor employed by the Judicial Department in a  
733 local family violence intervention unit shall be solely for the purposes  
734 of preparation of the report and the protective order forms for each  
735 case and recommendation of services and shall otherwise be  
736 confidential and retained in the files of such unit and not be subject to  
737 subpoena or other court process for use in any other proceeding or for  
738 any other purpose, except that (A) if the victim has indicated that the  
739 defendant holds a permit to carry a pistol or revolver or possesses one  
740 or more firearms, [the] a family relations [officer] counselor, family  
741 relations counselor trainee or family services supervisor employed by  
742 the Judicial Department shall disclose such information to the court  
743 and the prosecuting authority for appropriate action, (B) a family  
744 relations counselor, family relations counselor trainee or family  
745 services supervisor employed by the Judicial Department shall disclose  
746 such information as may be necessary to satisfy such counselor's,  
747 trainee's or supervisor's duty as a mandated reporter under subsection  
748 (b) of section 17a-101, as amended by this act, or (C) after disposition  
749 of a family violence case, a family relations counselor, family relations  
750 counselor trainee or family services supervisor employed by the



751 Judicial Department may disclose to a probation officer, for purposes  
752 of determining service needs and supervision levels, information  
753 regarding a defendant who has been convicted and sentenced to a  
754 period of probation in the family violence case.

755       Sec. 17. (NEW) (*Effective October 1, 2009*) (a) In the course of their  
756 official duties, probation officers may detain, for a reasonable period of  
757 time and until a police officer arrives to make an arrest, (1) any person  
758 who has one or more unexecuted state or federal arrest warrants  
759 lodged against the person, and (2) any person who the probation  
760 officer has probable cause to believe has violated a condition of  
761 probation and who is the subject of a probation officer's arrest powers  
762 pursuant to subsection (a) of section 53a-32 of the general statutes, as  
763 amended by this act.

764       (b) A probation officer may receive and take into custody any  
765 contraband, as defined in subsection (a) of section 54-36a of the general  
766 statutes, that the probation officer discovers in the course of the  
767 probation officer's official duties, provided the probation officer  
768 promptly processes the contraband in accordance with the policies and  
769 procedures of the Court Support Services Division of the Judicial  
770 Branch.

771       (c) A probation officer may act as a member of an ad hoc fugitive  
772 task force that seeks out and arrests persons who have unexecuted  
773 state or federal warrants lodged against them. Any probation officer  
774 shall be deemed to be acting within the probation officer's scope of  
775 employment as a state employee for the purposes of section 4-165 of  
776 the general statutes when carrying out the probation officer's official  
777 duties as a member of the task force.

778       Sec. 18. Subsection (e) of section 53a-30 of the general statutes is  
779 repealed and the following is substituted in lieu thereof (*Effective*  
780 *October 1, 2009*):

781       (e) The court may require that the person subject to electronic

782 monitoring pursuant to subsection (a) of this section pay directly to the  
783 electronic monitoring service provider a fee [for the cost] equal to the  
784 contractually approved daily cost rate of such electronic monitoring  
785 services. If the court finds that the person subject to electronic  
786 monitoring is indigent and unable to pay the costs of electronic  
787 monitoring services, it shall waive all or part of such costs. [Any  
788 contract entered into by the Judicial Branch and the electronic  
789 monitoring service provider shall include a provision stating that the  
790 total cost for electronic monitoring services shall not exceed six dollars  
791 per day. Such amount shall be indexed annually to reflect the rate of  
792 inflation.]

793 Sec. 19. Subsection (a) of section 53a-32 of the general statutes is  
794 repealed and the following is substituted in lieu thereof (*Effective*  
795 *October 1, 2009*):

796 (a) At any time during the period of probation or conditional  
797 discharge, the court or any judge thereof may issue a warrant for the  
798 arrest of a defendant for violation of any of the conditions of probation  
799 or conditional discharge, or may issue a notice to appear to answer to a  
800 charge of such violation, which notice shall be personally served upon  
801 the defendant. Any such warrant shall authorize all officers named  
802 therein to return the defendant to the custody of the court or to any  
803 suitable detention facility designated by the court. [Whenever a  
804 defendant has, in the judgment of such defendant's probation officer,  
805 violated the conditions of such defendant's probation, the probation  
806 officer may, in lieu of having such defendant returned to court for  
807 proceedings in accordance with this section, place such defendant in  
808 the zero-tolerance drug supervision program established pursuant to  
809 section 53a-39d.] Whenever a [sexual offender, as defined in section  
810 54-260, has violated the conditions of such person's probation by  
811 failing to notify such person's probation officer of any change of such  
812 person's residence address, as required by said section] probation  
813 officer has probable cause to believe that a probationer sentenced  
814 under section 53a-29 has violated a condition of probation, such

815 probation officer may notify any police officer that such person has, in  
816 such officer's judgment, violated the conditions of such person's  
817 probation and such notice shall be sufficient warrant for the police  
818 officer to arrest such person and return such person to the custody of  
819 the court or to any suitable detention facility designated by the court.  
820 Any probation officer may arrest any defendant on probation without  
821 a warrant or may deputize any other officer with power to arrest to do  
822 so by giving such other officer a written statement setting forth that the  
823 defendant has, in the judgment of the probation officer, violated the  
824 conditions of the defendant's probation. Such written statement,  
825 delivered with the defendant by the arresting officer to the official in  
826 charge of any correctional center or other place of detention, shall be  
827 sufficient warrant for the detention of the defendant. After making  
828 such an arrest, such probation officer shall present to the detaining  
829 authorities a similar statement of the circumstances of violation.  
830 Provisions regarding release on bail of persons charged with a crime  
831 shall be applicable to any defendant arrested under the provisions of  
832 this section. Upon such arrest and detention, the probation officer shall  
833 immediately so notify the court or any judge thereof.

834 Sec. 20. Subsection (b) of section 54-56g of the general statutes is  
835 repealed and the following is substituted in lieu thereof (*Effective*  
836 *October 1, 2009*):

837 (b) The court, after consideration of the recommendation of the  
838 state's attorney, assistant state's attorney or deputy assistant state's  
839 attorney in charge of the case, may, in its discretion, grant such  
840 application. If the court grants such application, it shall refer such  
841 person to the Court Support Services Division for assessment and  
842 confirmation of the eligibility of the applicant and to the Department  
843 of Mental Health and Addiction Services for evaluation. The Court  
844 Support Services Division, in making its assessment and confirmation,  
845 may rely on the representations made by the applicant under oath in  
846 open court with respect to convictions in other states of offenses  
847 specified in subsection (a) of this section. Upon confirmation of

848 eligibility and receipt of the evaluation report, the defendant shall be  
849 referred to the Department of Mental Health and Addiction Services  
850 by the Court Support Services Division for placement in an  
851 appropriate alcohol intervention program for one year, or be placed in  
852 a state-licensed substance abuse treatment program. Any person who  
853 enters the system shall agree: (1) To the tolling of the statute of  
854 limitations with respect to such crime, (2) to a waiver of such person's  
855 right to a speedy trial, (3) to complete ten or fifteen counseling sessions  
856 in an alcohol intervention program or successfully complete a  
857 substance abuse treatment program of not less than twelve sessions  
858 pursuant to this section dependent upon the evaluation report and the  
859 court order, (4) upon completion of participation in the alcohol  
860 intervention program, to accept placement in a treatment program  
861 upon recommendation of a provider under contract with the  
862 Department of Mental Health and Addiction Services pursuant to  
863 subsection (d) of this section or placement in a state-licensed treatment  
864 program which meets standards established by the Department of  
865 Mental Health and Addiction Services, if the Court Support Services  
866 Division deems it appropriate, and (5) if ordered by the court, to  
867 participate in at least one victim impact panel. The suspension of the  
868 motor vehicle operator's license of any such person pursuant to section  
869 14-227b shall be effective during the period such person is  
870 participating in such program, provided such person shall have the  
871 option of not commencing the participation in such program until the  
872 period of such suspension is completed. If the Court Support Services  
873 Division informs the court that the defendant is ineligible for the  
874 system and the court makes a determination of ineligibility or if the  
875 program provider certifies to the court that the defendant did not  
876 successfully complete the assigned program or is no longer amenable  
877 to treatment, the court shall order the court file to be unsealed, enter a  
878 plea of not guilty for such defendant and immediately place the case  
879 on the trial list. If such defendant satisfactorily completes the assigned  
880 program, such defendant may apply for dismissal of the charges  
881 against such defendant and the court, on reviewing the record of the

882 defendant's participation in such program submitted by the Court  
883 Support Services Division and on finding such satisfactory completion,  
884 shall dismiss the charges. If the defendant does not apply for dismissal  
885 of the charges against such defendant after satisfactorily completing  
886 the assigned program the court, upon receipt of the record of the  
887 defendant's participation in such program submitted by the Court  
888 Support Services Division, may on its own motion make a finding of  
889 such satisfactory completion and dismiss the charges. Upon motion of  
890 the defendant and a showing of good cause, the court may extend the  
891 one-year placement period for a reasonable period for the defendant to  
892 complete the assigned program. A record of participation in such  
893 program shall be retained by the Court Support Services Division for a  
894 period of [seven] ten years from the date of application. The Court  
895 Support Services Division shall transmit to the Department of Motor  
896 Vehicles a record of participation in such program for each person who  
897 satisfactorily completes such program. The Department of Motor  
898 Vehicles shall maintain for a period of [seven] ten years the record of a  
899 person's participation in such program as part of such person's driving  
900 record. The Court Support Services Division shall transmit to the  
901 Department of Environmental Protection the record of participation of  
902 any person who satisfactorily completes such program who has been  
903 charged with a violation of the provisions of section 15-133, 15-140l or  
904 15-140n. The Department of Environmental Protection shall maintain  
905 for a period of [seven] ten years the record of a person's participation  
906 in such program as a part of such person's boater certification record.

907 Sec. 21. Section 4-73 of the general statutes is repealed and the  
908 following is substituted in lieu thereof (*Effective July 1, 2009*):

909 (a) Part II of the budget document shall present in detail for each  
910 fiscal year of the ensuing biennium the Governor's recommendation  
911 for appropriations to meet the expenditure needs of the state from the  
912 General Fund and from all special and agency funds classified by  
913 budgeted agencies and showing for each budgeted agency and its  
914 subdivisions: (1) A narrative summary describing the agency, the

915 Governor's recommendations for appropriations for the agency and a  
916 list of agency programs, the actual expenditure for the last-completed  
917 fiscal year, the estimated expenditure for the current fiscal year, the  
918 amount requested by the agency and the Governor's recommendations  
919 for appropriations for each fiscal year of the ensuing biennium; and (2)  
920 a summary of permanent full-time positions by fund, setting forth the  
921 number filled and the number vacant as of the end of the last-  
922 completed fiscal year, the total number intended to be funded by  
923 appropriations without reduction for turnover for the fiscal year in  
924 progress, the total number requested and the total number  
925 recommended for each fiscal year of the biennium to which the budget  
926 relates.

927 (b) In addition, programs shall be supported by: (1) The statutory  
928 authorization for the program; (2) a statement of program objectives;  
929 (3) a description of the program, including a statement of need,  
930 eligibility requirements and any intergovernmental participation in the  
931 program; (4) a statement of performance measures by which the  
932 accomplishments toward the program objectives can be assessed,  
933 which shall include, but not be limited to, an analysis of the workload,  
934 quality or level of service and effectiveness of the program; (5)  
935 program budget data broken down by major object of expenditure,  
936 showing additional federal and private funds; (6) a summary of  
937 permanent full-time positions by fund, setting forth the number filled  
938 and the number vacant as of the end of the last-completed fiscal year,  
939 the total number intended to be funded by appropriations without  
940 reduction for turnover for the fiscal year in progress, the total number  
941 requested and the total number recommended for each fiscal year of  
942 the biennium to which the budget relates; (7) a statement of  
943 expenditures for the last-completed and current fiscal years, the  
944 agency request and the Governor's recommendation for each fiscal  
945 year of the ensuing biennium and, for any new or expanded program,  
946 estimated expenditure requirements for the fiscal year next succeeding  
947 the biennium to which the budget relates; and (8) an explanation of  
948 any significant program changes requested by the agency or

949 recommended by the Governor.

950 (c) (1) There shall be a supporting schedule of total agency  
951 expenditures including a line-item, minor object breakdown of  
952 personal services, energy costs, contractual services and commodities  
953 and a total of state aid grants and equipment, showing the actual  
954 expenditures for the last-completed fiscal year, estimated expenditures  
955 for the current fiscal year and requested and recommended  
956 appropriations for each fiscal year of the ensuing biennium, classified  
957 by objects according to a standard plan of classification.

958 (2) In addition, the supporting schedule of agency energy costs shall  
959 be supported by a statement of the agency's plans for energy  
960 conservation in each fiscal year of the ensuing biennium, and a  
961 statement of the progress the agency has made in the last-completed  
962 fiscal year concerning energy conservation.

963 (d) All federal funds expended or anticipated for any purpose shall  
964 be accounted for in the budget. The document shall set forth a listing  
965 of federal programs, showing the actual expenditures for the last-  
966 completed fiscal year, estimated expenditures for the current fiscal  
967 year and anticipated funds available for expenditure for each fiscal  
968 year of the ensuing biennium. Such federal funds shall be classified by  
969 program in each budgeted agency but shall not include research grants  
970 made to educational institutions.

971 (e) Part II of the budget document shall also set forth the budget  
972 recommendations for the capital program, to be supported by  
973 statements listing the agency's requests and the Governor's  
974 recommendations with the statements required by section 4-78.

975 (f) The appropriations recommended for the legislative branch of  
976 the state government shall be the estimates of expenditure  
977 requirements transmitted to the Secretary of the Office of Policy and  
978 Management by the Joint Committee on Legislative Management  
979 pursuant to section 4-77 and the recommended adjustments and

980 revisions of such estimates shall be the recommended adjustments and  
981 revisions, if any, transmitted by said committee pursuant to said  
982 section 4-77.

983 (g) The appropriations recommended for the Judicial Branch of the  
984 state government shall be the estimates of expenditure requirements  
985 transmitted to the Secretary of the Office of Policy and Management by  
986 the Chief Court Administrator pursuant to section 4-77 and the  
987 recommended adjustments and revisions of such estimates shall be the  
988 recommended adjustments and revisions, if any, transmitted by said  
989 administrator pursuant to said section 4-77.

990 Sec. 22. Section 46b-56 of the general statutes is repealed and the  
991 following is substituted in lieu thereof (*Effective October 1, 2009*):

992 (a) In any controversy before the Superior Court as to the custody or  
993 care of minor children, and at any time after the return day of any  
994 complaint under section 46b-45, the court may make or modify any  
995 proper order regarding the custody, care, education, visitation and  
996 support of the children if it has jurisdiction under the provisions of  
997 chapter 815p. Subject to the provisions of section 46b-56a, the court  
998 may assign parental responsibility for raising the child to the parents  
999 jointly, or may award custody to either parent or to a third party,  
1000 according to its best judgment upon the facts of the case and subject to  
1001 such conditions and limitations as it deems equitable. The court may  
1002 also make any order granting the right of visitation of any child to a  
1003 third party to the action, including, but not limited to, grandparents.

1004 (b) In making or modifying any order as provided in subsection (a)  
1005 of this section, the rights and responsibilities of both parents shall be  
1006 considered and the court shall enter orders accordingly that serve the  
1007 best interests of the child and provide the child with the active and  
1008 consistent involvement of both parents commensurate with their  
1009 abilities and interests. Such orders may include, but shall not be  
1010 limited to: (1) Approval of a parental responsibility plan agreed to by  
1011 the parents pursuant to section 46b-56a; (2) the award of joint parental



1012 responsibility of a minor child to both parents, which shall include (A)  
1013 provisions for residential arrangements with each parent in accordance  
1014 with the needs of the child and the parents, and (B) provisions for  
1015 consultation between the parents and for the making of major  
1016 decisions regarding the child's health, education and religious  
1017 upbringing; (3) the award of sole custody to one parent with  
1018 appropriate parenting time for the noncustodial parent where sole  
1019 custody is in the best interests of the child; or (4) any other custody  
1020 arrangements as the court may determine to be in the best interests of  
1021 the child.

1022 (c) In making or modifying any order as provided in subsections (a)  
1023 and (b) of this section, the court shall consider the best interests of the  
1024 child, and in doing so may consider, but shall not be limited to, one or  
1025 more of the following factors: (1) The temperament and developmental  
1026 needs of the child; (2) the capacity and the disposition of the parents to  
1027 understand and meet the needs of the child; (3) any relevant and  
1028 material information obtained from the child, including the informed  
1029 preferences of the child; (4) the wishes of the child's parents as to  
1030 custody; (5) the past and current interaction and relationship of the  
1031 child with each parent, the child's siblings and any other person who  
1032 may significantly affect the best interests of the child; (6) the  
1033 willingness and ability of each parent to facilitate and encourage such  
1034 continuing parent-child relationship between the child and the other  
1035 parent as is appropriate, including compliance with any court orders;  
1036 (7) any manipulation by or coercive behavior of the parents in an effort  
1037 to involve the child in the parents' dispute; (8) the ability of each  
1038 parent to be actively involved in the life of the child; (9) the child's  
1039 adjustment to his or her home, school and community environments;  
1040 (10) the length of time that the child has lived in a stable and  
1041 satisfactory environment and the desirability of maintaining continuity  
1042 in such environment, provided the court may consider favorably a  
1043 parent who voluntarily leaves the child's family home pendente lite in  
1044 order to alleviate stress in the household; (11) the stability of the child's  
1045 existing or proposed residences, or both; (12) the mental and physical

1046 health of all individuals involved, except that a disability of a  
1047 proposed custodial parent or other party, in and of itself, shall not be  
1048 determinative of custody unless the proposed custodial arrangement is  
1049 not in the best interests of the child; (13) the child's cultural  
1050 background; (14) the effect on the child of the actions of an abuser, if  
1051 any domestic violence has occurred between the parents or between a  
1052 parent and another individual or the child; (15) whether the child or a  
1053 sibling of the child has been abused or neglected, as defined  
1054 respectively in section 46b-120; and (16) whether the party  
1055 satisfactorily completed participation in a parenting education  
1056 program established pursuant to section 46b-69b. The court is not  
1057 required to assign any weight to any of the factors that it considers.

1058 (d) In making or modifying any order as provided in subsections (a)  
1059 and (b) of this section concerning visitation of the child, the court shall  
1060 include in such order a detailed statement on the conditions and  
1061 obligations of the noncustodial parent with respect to such visitation.

1062 ~~[(d)]~~ (e) Upon the issuance of any order assigning custody of the  
1063 child to the Commissioner of Children and Families, or not later than  
1064 sixty days after the issuance of such order, the court shall make a  
1065 determination whether the Department of Children and Families made  
1066 reasonable efforts to keep the child with his or her parents prior to the  
1067 issuance of such order and, if such efforts were not made, whether  
1068 such reasonable efforts were not possible, taking into consideration the  
1069 best interests of the child, including the child's health and safety.

1070 ~~[(e)]~~ (f) In determining whether a child is in need of support and, if  
1071 in need, the respective abilities of the parents to provide support, the  
1072 court shall take into consideration all the factors enumerated in section  
1073 46b-84.

1074 ~~[(f)]~~ (g) When the court is not sitting, any judge of the court may  
1075 make any order in the cause which the court might make under this  
1076 section, including orders of injunction, prior to any action in the cause  
1077 by the court.

1078        [(g)] (h) A parent not granted custody of a minor child shall not be  
1079        denied the right of access to the academic, medical, hospital or other  
1080        health records of such minor child, unless otherwise ordered by the  
1081        court for good cause shown.

1082        [(h)] (i) Notwithstanding the provisions of subsections (b) and (c) of  
1083        this section, when a motion for modification of custody or visitation is  
1084        pending before the court or has been decided by the court and the  
1085        investigation ordered by the court pursuant to section 46b-6  
1086        recommends psychiatric or psychological therapy for a child, and such  
1087        therapy would, in the court's opinion, be in the best interests of the  
1088        child and aid the child's response to a modification, the court may  
1089        order such therapy and reserve judgment on the motion for  
1090        modification.

1091        [(i)] (j) As part of a decision concerning custody or visitation, the  
1092        court may order either parent or both of the parents and any child of  
1093        such parents to participate in counseling and drug or alcohol  
1094        screening, provided such participation is in the best interests of the  
1095        child.

1096        Sec. 23. Section 46b-62 of the general statutes is repealed and the  
1097        following is substituted in lieu thereof (*Effective October 1, 2009*):

1098        (a) In any proceeding seeking relief under the provisions of this  
1099        chapter and sections 17b-743, 17b-744, 45a-257, 46b-1, 46b-6, 46b-212 to  
1100        46b-213v, inclusive, 47-14g, 51-348a and 52-362, the court may order  
1101        either spouse or, if such proceeding concerns the custody, care,  
1102        education, visitation or support of a minor child, either parent to pay  
1103        the reasonable attorney's fees of the other in accordance with their  
1104        respective financial abilities and the criteria set forth in section 46b-82.  
1105        If, in any proceeding under this chapter and said sections, the court  
1106        appoints an attorney for a minor child, the court may order the father,  
1107        mother or an intervening party, individually or in any combination, to  
1108        pay the reasonable fees of the attorney or may order the payment of  
1109        the attorney's fees in whole or in part from the estate of the child. If the

1110 child is receiving or has received state aid or care, the compensation of  
 1111 the attorney shall be established and paid by the Commission on Child  
 1112 Protection.

1113 (b) In any proceeding under this chapter for the dissolution of  
 1114 marriage, the court may order a spouse to pay court costs and the  
 1115 reasonable attorney's fees of the other if the court finds that the spouse  
 1116 knowingly submitted false or incomplete information to the court,  
 1117 which information, if relied on by the court, would be against the  
 1118 interests of the other spouse. Any order under this section may be in  
 1119 addition to any applicable penalty for perjury or false statement.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	4b-51(a) and (b)
Sec. 2	October 1, 2009	4b-52(a) and (b)
Sec. 3	October 1, 2009	51-9
Sec. 4	October 1, 2009	51-1b
Sec. 5	October 1, 2009	51-5a
Sec. 6	October 1, 2009	51-193c
Sec. 7	October 1, 2009	51-5c(a) and (b)
Sec. 8	October 1, 2009	51-36(a)
Sec. 9	October 1, 2009	51-36(d)
Sec. 10	October 1, 2009	54-2a(e)
Sec. 11	October 1, 2009	54-142i
Sec. 12	October 1, 2009	47a-69
Sec. 13	October 1, 2009	52-261(a)
Sec. 14	October 1, 2009	52-261a
Sec. 15	October 1, 2009	17a-101
Sec. 16	October 1, 2009	46b-38c(c)
Sec. 17	October 1, 2009	New section
Sec. 18	October 1, 2009	53a-30(e)
Sec. 19	October 1, 2009	53a-32(a)
Sec. 20	October 1, 2009	54-56g(b)
Sec. 21	July 1, 2009	4-73
Sec. 22	October 1, 2009	46b-56
Sec. 23	October 1, 2009	46b-62

***Statement of Purpose:***

To: (1) Authorize action necessary to ensure operation of the state courts in an emergency; (2) enact provisions regarding electronic records, signatures and filings; (3) increase the dollar limit of projects for the alteration, repair or addition to Judicial Branch facilities that remain under the control of the Judicial Branch; (4) amend provisions concerning state marshals and probations officers; (5) add family relations counselors to the statutory list of mandated reporters; (6) eliminate the statutory cap on the cost of electronic monitoring; (7) make other changes related to court operations, records and the Judicial Branch budget process; (8) require a court to include in any visitation order a statement on conditions and obligations of the noncustodial parent with respect to such visitation rights; and (9) enhance the penalty for perjury in certain family matters.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*